

Good Morning, I'd like to thank the members of the House Oversight and Ethics Committee for giving me the opportunity to testify on the bipartisan Freedom of Information reform package today.

My name is Melanie McElroy, I'm Executive Director of Common Cause Michigan, a non-partisan government accountability organization.

Common Cause Michigan is calling on the lawmakers to act quickly on this package of transparency bills.

Michigan's FOIA law is incomplete and outdated, and for that reason we applaud that the legislation extends FOIA to the Governor's Office and brings more transparency to the Legislature.

Michigan is one of only two states in the country that doesn't already include the Legislature and Governor's office in its open records law.

We also rank dead last when it comes to fighting corruption, according to the Center for Public Integrity.

As written, the bill would extend FOIA to the Governor's office — but not until 2017. Common Cause MI believes that this should go into effect right away. There's absolutely no reason to delay this. The public deserves access to information now.

FOIA is meant to shine a light on what government is doing, but the huge exemption for the Governor's Office has meant people were kept in the dark.

Common Cause Michigan collected 70,000 signatures on a petition demanding Gov. Snyder comply fully with FOIA, by releasing all emails and documents over the crisis.

As a result of public pressure, the Governor did release emails — eventually. But many emails were heavily redacted.

The bottom line is we can't rely on the Governor's office to release information out of the goodness of their hearts and only after the massive

public pressure that comes from thousands of people being poisoned in Flint.

We need a robust FOIA law that shines a light into what government is doing. And that's why we need the Governor's Office to be included in FOIA immediately.

As you know, this package also includes the new Legislative Open Records Act (LORA).

Common Cause MI believes this is a necessary step, and applauds lawmakers **in both parties** for working to bring more transparency to the legislature.

Common Cause MI has pledged to work with the lawmakers to strengthen the legislation.

**Again, we believe the Legislature needs to be included in our open records law.**

With that said, we believe there are some critical changes needed to LORA to give it more teeth, like restoring people's right to go to court if the Legislature refuses to provide information the public is entitled to.

The public should be allowed to see records right away, instead of having to wait 30 days until after records were created, under the current LORA proposal.

The legislation should also get rid of huge exemptions, as it's currently written, like excluding information regarding legislative investigations or ongoing litigation.

Other states, like Connecticut, have gone much further in encouraging transparency with their open record laws. We should use their laws as models for reforming FOIA.

Common Cause MI stands ready to work with lawmakers to improve important reforms to FOIA.

We applaud the legislators for bringing this legislation to the fore as more transparency and accountability is desperately needed in Michigan.

And Common Cause again calls on the Governor to pledge his support for extending the Freedom of Information Act to his office and the legislature.

There is no excuse for silence on this extremely important issue.

Thank you.